

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TENNESSEE AT JACKSON**

**MELVIN HARRIS, ELESE HARRIS
and BERNICE EDWARDS,**

Plaintiffs,

vs.

**NO: _____
JURY DEMANDED**

**ALLSTATE PROPERTY and
CASUALTY INSURANCE CO.,**

Defendant.

NOTICE FOR REMOVAL OF CIVIL ACTION

TO THE HONORABLE JUDGES OF THE U. S. DISTRICT COURT FOR THE
WESTERN DISTRICT OF TENNESSEE AT JACKSON:

COMES NOW Allstate Property and Casualty Insurance Company, by its
undersigned attorneys, and respectfully shows this Court as follows:

1. Petitioner is a defendant in the above and entitled action.
2. On December 29, 2010 Plaintiffs, Melvin Harris, Elese Harris and Bernice Edwards, commenced the above entitled action against the Defendant, Allstate Property and Casualty Insurance Company in the Circuit Court of Madison County, Tennessee. Attached hereto as Exhibit A is a copy of the Complaint, and Service of Process.
3. There have been no proceedings since the filing of the Complaint.
4. The amount in controversy in the above entitled action, exclusive of interest and cost, exceeds \$75,000.00. At the time of the commencement of this action, and at the

time of the filing of this Petition, Plaintiffs alleges that they are citizens of the State of Tennessee, residing in Madison County.

5. At the time of commencement of this action and the filing of this Petition, Petitioner, Allstate Property and Casualty Insurance Company, is a corporation, duly incorporated, and authorized to do business in the State of Tennessee and has its principal place of business in Northbrook, Illinois.

6. The above entitled action is a civil action for insurance proceeds brought by Melvin Harris, Elese Harris and Bernice Edwards against Allstate Property and Casualty Insurance Company. This claim is a result of a fire loss, which occurred on or about January 10, 2010 in Madison County, Tennessee, as more fully appears in the Complaint attached hereto.

7. This Court has original jurisdiction of the above entitled action pursuant to 28 U.S.C. §1332 since diversity of citizenship exists between the parties, and since Petitioner, Allstate Property and Casualty Insurance Company, is not a citizen or a resident of the State of Tennessee, wherein the above entitled action is pending, removal of this action to this Court is proper pursuant to 28 U.S.C. §1441 (a), (b).

8. This petition is filed with this court within thirty (30) days after receipt of the summons and Complaint filed by the Plaintiffs. Allstate was served through C.T. Corporation by Process Server on January 19, 2011.

WHEREFORE, PETITIONER PRAYS, that the above entitled action be removed from the Circuit Court of Madison County, Tennessee to this Court and that Allstate Property and Casualty Insurance Company be afforded a trial by jury.

Respectfully submitted,

WALDROP, BARNETT, LAZAROV & NEARN, P.C.

s/ David M. Waldrop

David M. Waldrop #13079

Attorney for Allstate Indemnity Company

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Germantown, Tennessee 38138

(901) 759-3489

CERTIFICATE OF SERVICE

This certifies that a copy of the foregoing has been served upon Nathan B. Pride, 423 North Highland Avenue, Jackson, TN 38301, by placing a copy of the same in the U.S. Mail, postage prepaid, this 9th day of February, 2011.

s/ David M. Waldrop

David M. Waldrop